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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT****RECEIVED**

APR 19 2002

TECH CENTER 1600/2900

In re Application of: C. Thomas Caskey, John M. Shumaker and Andres Metspalu

Application No: 09/711,476

Filed: November 13, 2000

For: PARALLEL PRIMER EXTENSION APPROACH TO NUCLEIC ACID SEQUENCE ANALYSIS

The owners, Baylor College of Medicine (Houston, TX) and Pharmacia Biotech AB (SE) of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,153,379. The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantees, their successors or assigns.

In making the above disclaimer, the owners do not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

The terminal disclaimer fee under 37 CFR 1.20(d) is enclosed.

The undersigned are empowered to act on behalf of the owners.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

\_\_\_\_\_  
Date\_\_\_\_\_  
Signature\_\_\_\_\_  
Typed or printed name\_\_\_\_\_  
Baylor College of Medicine

28 March 2002

\_\_\_\_\_  
Date  
A. J. Rollins  
Signature

Dr A J Rollins

\_\_\_\_\_  
Typed or printed name\_\_\_\_\_  
Pharmacia Biotech AB

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## STATEMENT UNDER 37 C.F.R. § 3.73(b)

Applicants C. Thomas Caskey, John M. Shumaker and Andres MetspaluApplication No. 09/711 476 Filed: November 13, 2000For: PARALLEL PRIMER EXTENSION APPROACH TO NUCLEIC ACID SEQUENCE ANALYSISPharmacia Biotech AB  
(Name of Assignee)an corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is

- A. ☐ the assignee of the entire right, title and interest in the patent application identified above; or
- B. ☒ an assignee together with Baylor College of Medicine of the entire right, title and interest in the patent application identified above. A separate Statement under 37 CFR § 3.73(b) is being submitted.

The right, title and interest of the above-named assignee in the patent application identified above is established by virtue of:

- A. ☒ An assignment from the inventors of the patent application identified above. The assignment was recorded in the Patent and Trademark Office at Reel 7996, Frames 0809-0812, or a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s) of the patent application identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 28 March 2002Name: Dr A J RollinsTitle: Vice President, Group Intellectual PropertySignature: A. J. Rollins

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